



August 29, 2000

REPUBLIC COMMERCIAL PROPERTIES

Mr. Stuart Strong
Austin Parks and Recreation Dept.
Division Manager, Planning Design & Construction
200 S. Lamar Blvd.
Austin, TX 78767

Re: Request for Land Use Agreement

Dear Mr. Strong:

I wish to request a land use agreement across approximately 260 feet of land between the Austin NW Rail Road and Manhole No. 95 as show on the attached wastewater collection system map. The area to be utilized is undeveloped grassland with no trees.

Purpose

The purpose of the request is to provide wastewater service via an eight-inch wastewater line from the subject property of 11.427 acres located on the West Side of the railroad tracks (as shown on the enclosed map), to Manhole no. 95. The 11.427 acre tract will be plated as one legal lot for residential development of manufactured housing similar to the ongoing development in Meadows at Trinity Crossing. Manhole 95 is the closet and by far the most economical location to join wastewater service.

Access

I would access the site for construction purposes from an existing curb cut located at Trinity Meadows Crossing Drive at the location midway between Marejadadr Dr. and Alsace Trail. The temporary access easement from construction purposes would be six hundred feet long by twenty feet wide to access the east side of Manhole No. 95. From Man hole 95 east to the railroad tracts, the section we need to lay sewer pipe the temporary access easement would be 260 long feet by thirty-five feet wide.

Permanent Use Agreement.

The area required for permanent use would be from a point at the railroad track 260 feet in a straight line to manhole 95 as shown on the enclosed map. The width of the permanent use area will be 20 inches wide.

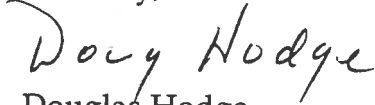
August 29, 2000
Mr. Stuart Strong
Pg. 2

Mitigation:

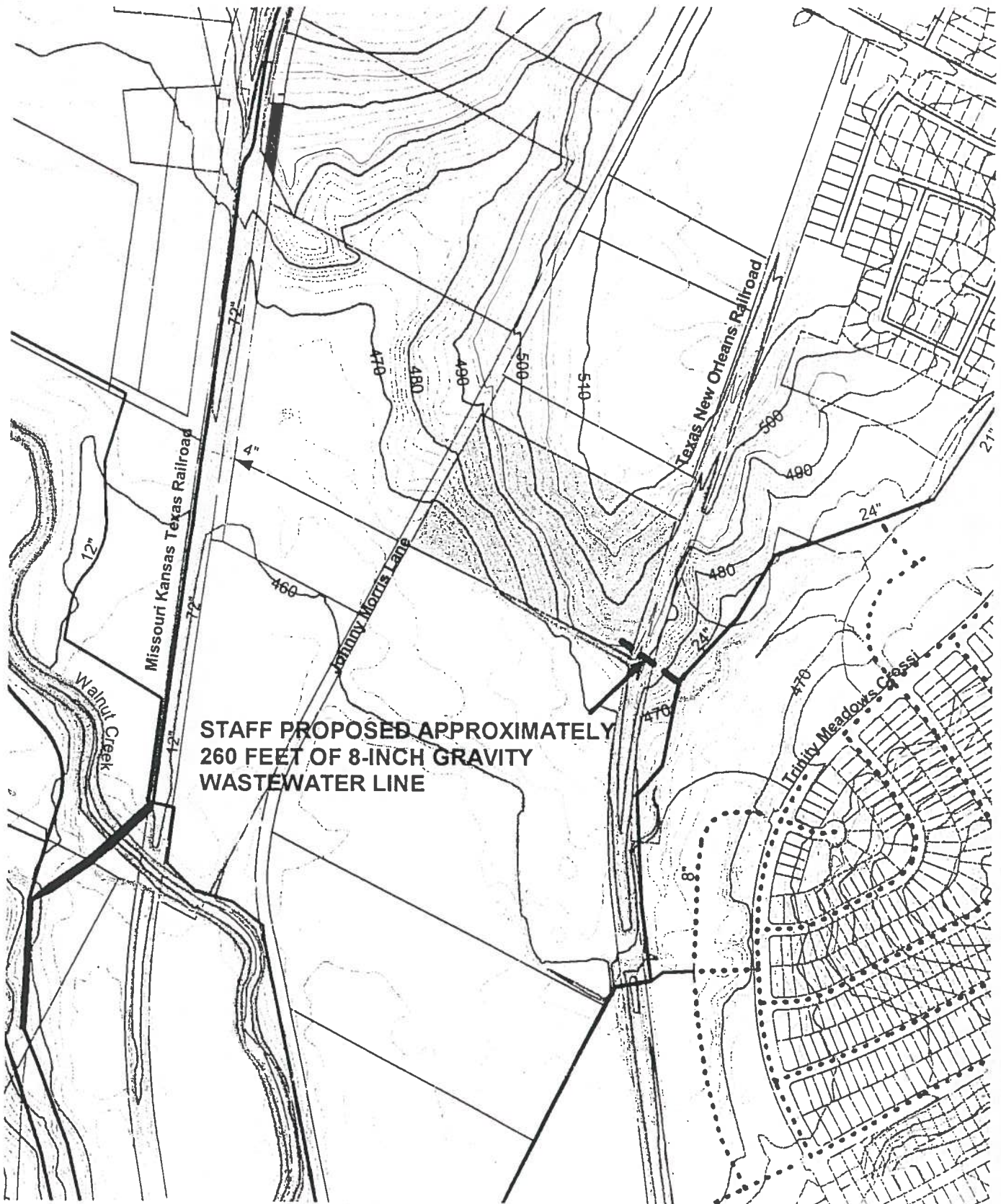
Proposed mitigation for the area used for temporary construction access and the area where the sewer line will be placed to exactly the same or better condition than the time of construction. I will purchase and plant five, five-foot live oak trees next to the developed play ground area and water them for nine months a minimum of one a week to insure survival.

Please call with any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Doug Hodge".

Douglas Hodge



**STAFF PROPOSED APPROXIMATELY
260 FEET OF 8-INCH GRAVITY
WASTEWATER LINE**



 Subject Tract



W. S.E.R. Name: Pecan Park Expansion
W. S.E.R. Number: 2024

CITY OF AUSTIN - WA

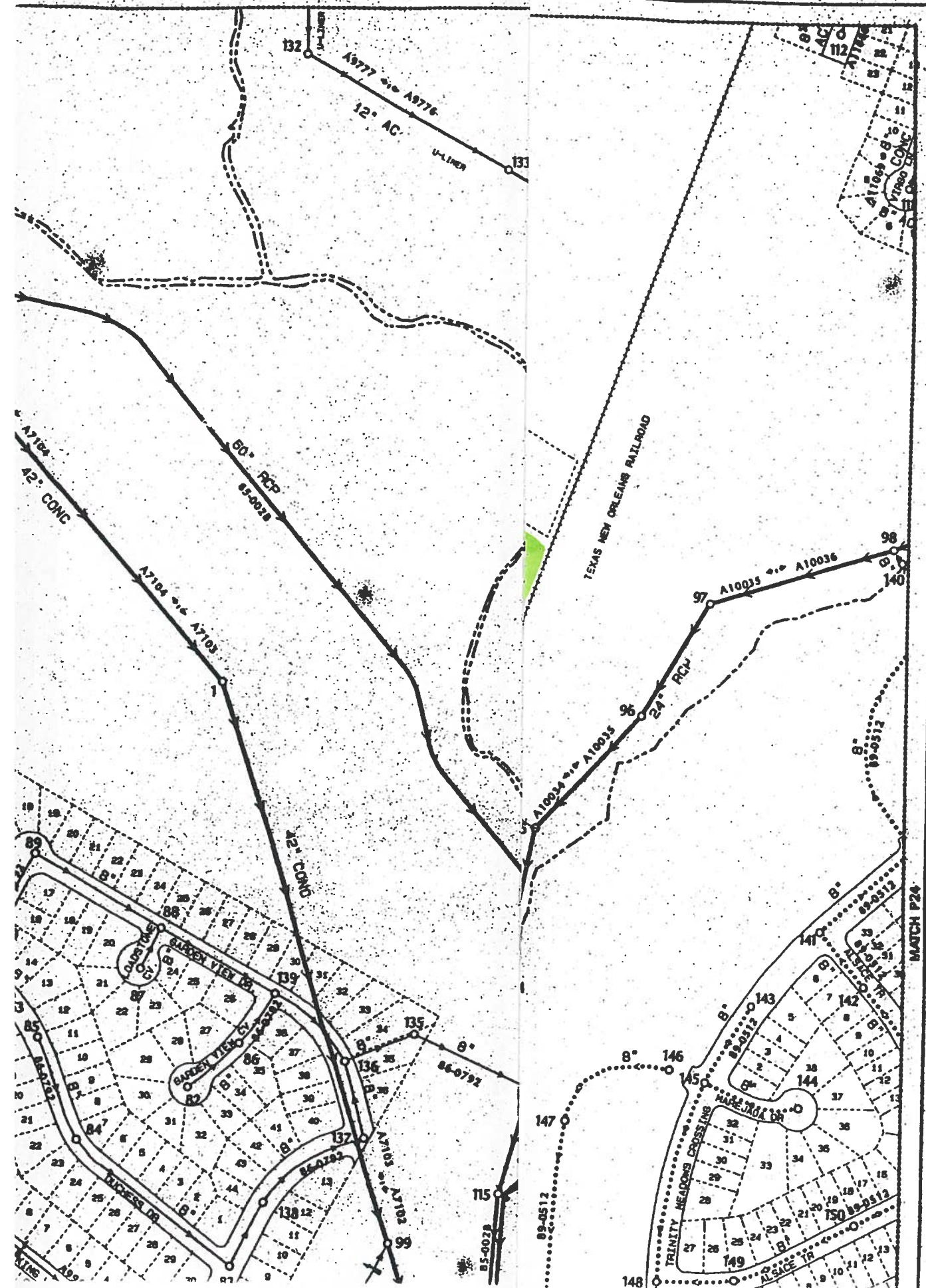


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Water &
Wastewater
Utility
City of Austin,
Texas



LEGEND

- Manhole
- Grade Break
- ▲ Lift Station
- ⬇ Treatment Plant
- Junction Structure
- Pipe Plug or Connection
- ⬇ Material Change
- ⊗ Tunnel Shaft
- ⋯ Project Reference Delimiter
- Main (Above 21")
- Main (8" to 21")
- Main (Below 8")
- Force Main
- Overflow Main
- Proposed Main
- Private Main
- Private Force Main
- Abandoned Main
- ⊗ Status Unknown Main



CITY OF AUSTIN - WAS

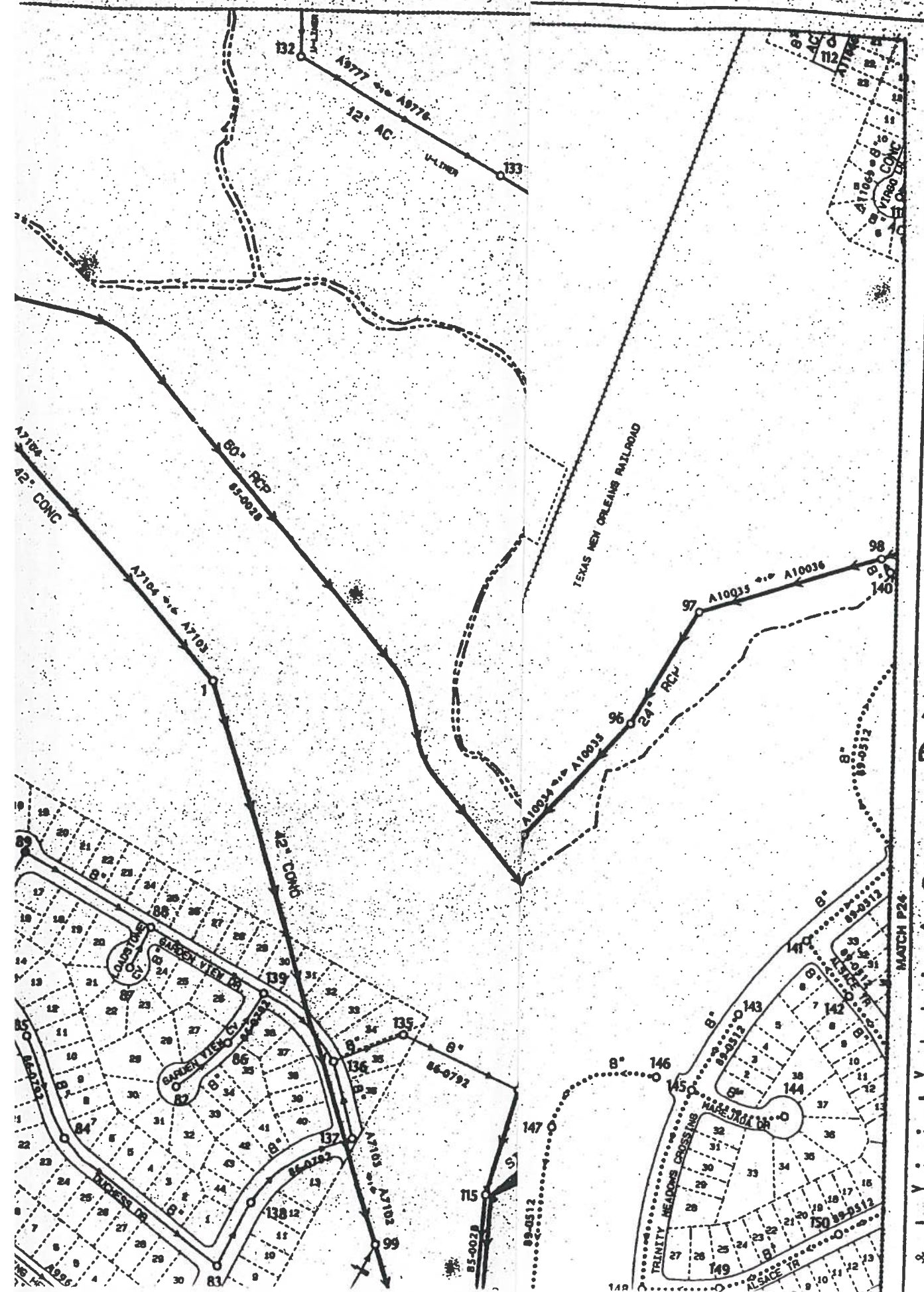


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Water &
Wastewater
Utility
City of Austin,
Texas



LEGEND

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- Abandoned Main
- Status Unknown Main



Items for Action #2

2. Sand Beach Reserve Settlement

There is no back up material for this item. Item to be discussed.



Item
#

3 Circle C Land Corp. VS City of Austin
Stratus Properties

LAW DEPARTMENT FAX TRANSMISSION COVER
Andrew Martin, City Attorney

PLEASE DELIVER THIS FAX TRANSMISSION TO:

NAME: Oliver Weiner & Donna Bohls
ADDRESS: (Parks) (Land)
TELEPHONE: _____

FROM: Mitsuko E. Farney 499-7773
City of Austin, Law Department
Norwood Tower, 114 West 7th Street, Suite 500
Austin, Texas 78701

DATE SENT: 11/08/00 RECEIVING FAX NUMBER: 499-6774

This transmission consists of this cover sheet plus 5 page(s) of copy. If problems occur and you do not receive all pages of this transmission, please call our FAX operator at (512) 499-2175 for assistance. The FAX machine used by the Law Department is located in our office, however, it is not always staffed. Please telephone the Law Department's FAX operator to ensure your transmitted documents are immediately picked up. Stratus back-up

REMARKS: "http://www.ci.austin.tx.us/news/stratus.htm"
If you need more info, please refer to the
website listed above. Thanks,

Mitsuko

THE CITY OF AUSTIN LAW DEPARTMENT'S FAX NUMBER IS: (512) 499-2894

The information contained in this facsimile message is privileged and confidential attorney information intended only for the use of the addressee. Persons responsible for delivering this communication to the intended recipient are hereby notified not to read the attached and that any dissemination, distribution or copying of this communication is strictly prohibited.

If you have received this communication in error, please notify us immediately by telephone, and please return the original message to us at our address shown above via the U.S. Postal Service.

Haines, Dina

From: Harmeyer, Mitsuko
Sent: Tuesday, November 07, 2000 2:38 PM
To: Shaw, Nancy; Haines, Dina
Cc: Martin, Andrew
Subject: 11/14 agenda: Stratus item

Importance: High

Dina,

Please post the following item on the Parks Board Agenda for 11/14:

BRIEFING

"Consider recommendations to the City Council on the proposed settlement agreement in *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, in the Travis County District Court, including terms and conditions relating to the development of property owned by Stratus Properties in the Circle C Ranch, Lantana, and Barton Creek developments. (This proposal concerns development regulations applicable in the Barton Springs Zone.)

Also, please advise me of any Subcommittees that may want a briefing on this item, as well.

You may contact me via e-mail or by phone @ 499-7773.

Thanks,
Mitsuko

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Proposed settlement between Stratus Properties and the City of Austin

The City of Austin and Stratus Properties are discussing what development regulations should apply to several parcels of land, totaling approximately 4,000 acres, owned by Stratus in Southwest Travis County.

The settlement proposal would address legal and other issues involving Barton Creek, Lantana and Circle C developments.

Issues were presented at the Austin City Council meeting on Oct. 5, beginning public discussion of the issue. The Council took no action on the settlement.

Public hearings before the City Council are scheduled for 6 p.m. Nov. 30 and Dec. 7. The Nov. 30 meeting is at Town Lake Center, 721 Barton Springs Road. The Dec. 7 meeting returns to the Hancock Building at the Lower Colorado River Authority, 3700 Lake Austin Blvd.

The proposal also will be presented to various City boards and commissions.

Barton Springs Zone Land Use and Traffic Analysis

TERM SHEET FOR SETTLEMENT BETWEEN STRATUS PROPERTIES AND THE CITY OF AUSTIN

* **Note:** All exhibits are available in hard copy form from the Public Information Office, 124 West 8th St., room 208 or call 499-2220

General Provisions

A. Overall Development

1. All future development in the defined area must comply with applicable City regulations except to the extent necessary to implement the specific terms of this Agreement. The City and Stratus shall agree on a mechanism, which may include arbitration, for expedited resolution of any future dispute over the implementation of the Settlement Agreement. Stratus agrees that any future removal of the Development area from the City's ETJ, either because of litigation or legislation, will not affect the applicability of City ordinances or the enforceability of this Agreement.
2. With respect to impervious cover, Stratus will have the right to build the impervious cover up to the impervious cover percentages for the specific development areas listed below. All impervious cover numbers in this proposal are based on net site area, per the City of Austin Land Development Code provisions in effect on the date of this agreement. Stratus will grant the City a conservation easement giving the City the development rights not granted Stratus under this Agreement.
3. Stratus will grant the City an assignable option to purchase the 46-acre tract adjacent to the Nature Conservancy at an agreed upon price when the Settlement Agreement is signed.

4. Stratus will provide public access to Barton Creek from public roadways at the two locations generally depicted on Exhibit "1".
5. Stratus will dedicate a public access easement for access along Barton Creek in Section L.
6. All new water quality ponds shall comply with current code except as specified within this agreement.
7. The City agrees, after reviewing all available stormwater studies, no regional stormwater management program fees are due in connection with development of the Barton Creek project.

ABC West Phase II

Code compliance as of effective date of Agreement, plus no fences or other structures in the Critical Water Quality Zone.

POD 9

Stratus will restrict POD 9 to five single family sites, developed at less than 4% impervious cover based on gross site area, and leaving the balance of approximately 70 acres (which includes all creek frontage) undisturbed and part of the City's conservation easements. Prior to signing the Settlement Agreement, Stratus and the City will agree on building envelopes for all construction in POD 9 so that all construction will be in the least sensitive and least visible areas of POD 9.

Section E and Lot 1, Section ABC Midsection ("Lot 1")

Code compliance as of effective date of Agreement. A water quality pond has been constructed to serve Section E, in addition to certain other property. The water quality and stormwater detention benefits of this existing pond will be fully credited towards the water quality and stormwater detention requirements for Section E and Lot 1 under current code.

Sections H & I

1. For purposes of this agreement, the negotiated development parameters apply to Sections H and I as a "combined" development.
2. Impervious cover for Sections H and I will be limited to a maximum of 25% net site area.
3. The "base" land plan will be Stratus's land plan prepared in conjunction with the Fazio II golf course (attached as Exhibit 2), including the associated street and lot layout and areas of detached single-family units that will be permitted as non-single-family development.
4. Stratus will be able to relocate internal lot lines and/or the alignment of internal roadways to accommodate varying residential uses and to reduce encroachment into the water quality transition zones.
5. There will be no residential development allowed within the critical water quality zones, but certain street and driveway crossings will be allowed, the number and

locations to be agreed on between Stratus and the City.

6. Residential development within the water quality transition zones will be limited to the following:

Total Impervious Cover (ac) = (Area of Water Quality Transition Zone / 3) x 10,000 sf

7. Development in the "peninsula" of Section H shall meet the water quality treatment standards of SOS, and shall use nonstructural controls for individual drainage areas to the greatest extent practicable.

8. The six existing retention/irrigation water quality ponds located within Section H, Section I, and the Fazio II golf course, in combination with the use of flow spreading devices and vegetated buffer areas, will serve as Stratus's water quality control strategy for Sections H and I. Concentrated discharges of stormwater from developed areas shall be converted to sheet flow through the use of level spreaders, rock berms, terraces, and/or other suitable devices to the greatest extent practicable. Sheet flow from developed areas will be discharged through vegetated buffer areas to the greatest extent practicable.

Sections KLO

Code compliance as of effective date of Agreement, except that the overall impervious cover on these tracts will be limited to 17%.

Section M

Code compliance as of effective date of Agreement, except that impervious cover on this tract is limited to 9%, as per the submitted plan.

Section N

1. Section N will have commercial development, which could include office development with an ancillary component of research and development, multi-family development, resort/golf course development and retail development.

2. For that portion of Section N located within the City's corporate limits, the City will initiate the necessary zoning changes to authorize the land uses in Section N described above. Section N will be subject to the Hill Country Roadway Regulations. In addition, Stratus will agree to a 100 foot undisturbed buffer from the right-of-way dedication line (but allowing driveways, utilities, and other exceptions permitted under the Hill Country Roadway Ordinance), and building height limits of 28 feet on structures within 500 feet of Southwest Parkway.

3. For any golf course in Section N, Stratus will agree that no improved area of the golf course will be within 100 feet of any waterway except for golf cart paths across waterways, and areas specifically agreed upon between the City and Stratus. Stratus will agree that the 100-foot buffer will remain after the golf course is built, i.e., there will never be any irrigation, pesticide application, fertilization or construction on the golf course within 100 feet of any waterway, except in any limited areas specifically agreed upon between the City and Stratus. The golf course will be designed, built, maintained and monitored in accordance with a detailed golf course management plan approved by City staff and agreed to prior to the effective date of the Settlement Agreement.

4. The City will provide sewer service to Section N according to its usual terms and conditions, thus eliminating the need for Stratus to build another wastewater treatment

plant on Section N. No effluent irrigation will be allowed on Section N. Stratus will not oppose the annexation of the entirety of Section N, provided such annexation and zoning is consistent with, and does not limit or otherwise affect, development on Section N permitted by Settlement Agreement. We recognize there are MUD issues that may need to be resolved with respect to annexation.

5. The City agrees that Stratus may construct two "sub-regional" retention/irrigation water quality ponds at the eastern boundary of Section N as generally identified in Exhibit 3. These ponds may be constructed within the critical water quality zones (including the main channels) of the affected tributaries, and will be characterized by the following features:

- a. The ponds will have splitter structures that capture the initial runoff from a storm, and otherwise bypass up to the 25-year storm event
- b. The ponds will be designed to retain, at a minimum, one-half (0.5) inch of runoff from the contributing drainage basin. The "capture volume" will be increased by one tenth (0.1) of an inch above the minimum one-half (0.5) inch of runoff for each 10% increment of gross impervious cover over 20% within the area draining to the pond.
- c. The ponds will be designed to minimize excavation to the greatest extent practicable, and construction will be sequenced to provide for early rough-cutting of the ponds so as to help control sediment during construction.

Alternatively, Stratus may develop a system of retention/irrigation water quality ponds strategically located within the eastern three-quarters of Section N that serve smaller drainage basins, but which have the same design features as identified for "sub-regional" ponds above. These "alternative ponds" may not be located within the critical water quality zone, unless the City and Stratus agree otherwise. In addition to the use of ponds under this scenario, Stratus may use a combination of flow spreading devices and vegetated buffer areas to treat storm runoff that does not drain to the ponds.

6. For the western one-quarter of Section N that does not drain to the "sub-regional" ponds, Stratus will use a combination of flow spreading devices and vegetated buffer areas as the preferred water quality control strategy. Other structural controls may also be utilized to provide water quality treatment for this portion of Section N. This water quality control strategy will meet or exceed the level of water quality treatment associated with the retention/irrigation pond strategy used in the remainder of Section N as described above. Concentrated discharges of stormwater from developed areas shall be converted to sheet flow through the use of level spreaders, rock berms, terraces, and/or other suitable devices to the greatest extent practicable. Sheet flow from developed areas will be discharged through vegetated buffer areas to the greatest extent practicable.

7. Impervious cover in Section N will be limited to 25% net site area. The maximum number of multi-family units on Section N will be 1,200 multi-family units. For each multi-family unit constructed on Section N, Stratus will contribute \$100 to the City's SMART Housing Program.

Narrow Streets at Barton Creek

Throughout Barton Creek, Stratus may construct narrow private gated roads utilizing alternate urban standards with waivers in a manner consistent with streets in Barton Creek Section J-2 and Section M.

Lantana

Stratus' remaining 452 acres will be developed in accordance with the following:

- a. 270 acres currently zoned for single-family use will be converted to multi-family zoning and developed under SOS. A minimum of 20% of the multi-family development will be subject to the City's Smart-Housing Program.
- b. The remaining 182 acres will be developed in accordance with a hybrid of the CWO and Williamson Creek Ordinances, consistent with the arrangement approved by the City and applicable to Lantana Phase 1, Section 2.

Circle C

A. Circle C West Phase II - 535 acres.

Circle C West Phase II will be single family residential, excluding apartments. SOS impervious cover limits will apply to Circle C West Phase II. Stormwater quality treatment in Circle C West Phase II will result in annual pollutant load removal rates equivalent to retention/irrigation with a water quality capture volume of 0.5" plus 0.1" for each 10% increase in gross impervious cover over 20%, as mutually agreed upon by Stratus and the City.

B. Balance of Circle C

1. Stratus will deed to the City that portion of Tract 102 that forms a northern boundary to the City's Prop. 2 land as generally reflected on Exhibit "4". Stratus will also deed to the City Tracts 112 and 109, as well as a fire station site not to exceed two (2) acres in a location to be identified prior to signing the Settlement Agreement.

2. The Remainder of Circle C will be developed consistent with the land uses reflected on the Land Use Plan. All development will be in compliance with the City Code. An impervious cover bucket concept shall apply to Circle C. The total available impervious cover to equal the sum of the available impervious cover from all tracts, calculated pursuant to the SOS ordinance. No single site shall be developed at an impervious cover level greater than 35%. Stratus can use the allowable impervious cover on the tracts to be deeded to the City pursuant to the bucket concept, i.e., the allowable impervious cover from that portion of Tract 102 conveyed to City and Tracts 109 and 112 can be used on other tracts, as long as no individual tract goes above 35% net site area. Tract 108 must be developed in strict compliance with SOS, i.e., the "bucket" cannot be used to increase impervious cover on Tract 108.

Circle C MUD Reimbursement Litigation

The City will pay Stratus \$6.3 million in settlement of MUD Reimbursables litigation.

If you have questions please email: Marja.Leachwood@ci.austin.tx.us.

Austin City Connection
Source: City of Austin
Modified: 11/02/00 05:17:51 PM CST

You are cordially invited to our



Annual Thanksgiving Events



November 15	6pm	Community Thanksgiving Dinner	Alamo Recreation Center 2100 Alamo St.
November 15	12pm	Thanksgiving Dinner	SAC/Lamar 2874 Shoal Crest Avenue
November 15	5pm	Thanksgiving Dinner	Conley-Guerrero Senior Activity Center 808 Nile St
November 16	6:30pm	Community Thanksgiving Dinner	Givens Recreation Center 3811 E 12th St.
November 16	6pm	Advisory Board Thanksgiving Dinner	Montopolis Recreation Center 1200 Montopolis Dr.
November 16	6pm	Community Thanksgiving Dinner	Rosewood Recreation Center 2300 Rosewood Avenue
November 17	11am	Thanksgiving Advisory Board Luncheon	McBeth Recreation Center 2401-A Columbus Dr.
November 18	11am	Thanksgiving Dinner	AB Cantu/Pan Am Recreation Center 2100 E. 3rd St.
November 20	5:30pm	Thanksgiving Dinner	South Austin Senior Activity Center 3911 Manchaca Rd.
November 20	6pm	Neighborhood Thanksgiving Dinner	Metz Recreation Center 2407 Canterbury St.
November 20	6pm	Thanksgiving Dinner	Parque Zaragoza Recreation Center 2608 Gonzales St.
November 20	6pm	Community Thanksgiving Banquet	South Austin Recreation Center 1100 Cumberland Rd.
November 21	12pm	Senior's Thanksgiving Luncheon	Dottie Jordan Recreation Center 2803 Loyola Ln.



Hope to see you there !

For more information please call Nancy Shaw at 499-6719



Austin Parks and Recreation Department
Programs Division
Upcoming Programs 2000

<u>Date</u>	<u>Time</u>	<u>Event</u>	<u>Location</u>
November 4		Austin Metro Flag Football Playoffs	Barton/JC Fields
November 4-5	1-7p	Silver Glove Boxing Tournament	Montopolis Recreation Center
November 4	7-11p	Austin Rage Field Trip	Roving Leader Areas
November 6-9	7:30-6p	Year-Round School Camp	Hancock Recreation Center
November 6-10	8a-4p	Computer Camp	Camacho Activity Center
November 6-22	7a-6p	Fall Intercession Camp (year round schools)	Parque Zaragoza Recreation Center
November 6-22	7a-6p	Fall Intercession Camp (year round schools)	Metz Recreation Center
November 9	6:30-8p	Family Thanks/ Family Togetherness	Rosewood Recreation Center
November 10	2-6p	Barbara Jordan After-School Fun	Barbara Jordan Outreach
November 11	6:00- 8:00p	Community Thanksgiving Dinner	Rosewood Recreation Center
November 11	7-11p	Parent's Night Out	Northwest Recreation Center
November 13-17	7:30-6p	Year-Round School Camp	Hancock Recreation Center
November 13-17	8a-2p	Adventure Camp	Camacho Activity Center
November 15	12n-1:30p	Thanksgiving Dinner	Senior Activity Center
November 15	5-7p	Thanksgiving Dinner	Conley-Guerro Senior Activity Center
November 15	6:30p	Community Thanksgiving dinner	Alamo Recreation Center
November 16	6:30pm	Community Thanksgiving Dinner	Givens Recreation Center
November 16	6-9p	Advisory Board Thanksgiving Dinner	Montopolis Recreation Center
November 17	1:30p	5 th Anniversary	South Austin Senior Activity Center
November 17	6-11p	Parent's Night Out	Dottie Jordan Recreation Center
November 17-19	9a-8p	Women's Volleyball Tournament	Doris Miller Auditorium
November 17	7-10p	Teen Night	Northwest Recreation Center
November 17	11a-1p	Thanksgiving Advisory Board Luncheon	McBeth Recreation Center
November 18	8a-2p	Trail Building Campout	Camacho Activity Center
November 18	10a	Dance and Cheer Competition	South Austin Recreation Center
November 18	11a-2p	Thanksgiving Dinner	AB Cantu/Pan Am Recreation Center

Austin Parks and Recreation Department
Programs Division
Upcoming Programs 2000

Date	Time	Event	Location
November 18	6-7:30p	Mother/Son Dance	Northwest Recreation Center
November 20	5:30-7:30p	Thanksgiving Dinner	South Austin Senior Activity Center
November 20	6p	Thanksgiving Dinner	Parque Zaragoza Recreation Center
November 20	6p	Thanksgiving Dinner	Metz Recreation Center
November 20	6p	Community Thanksgiving Banquet	South Austin Recreation Center
November 20-21	7:30a-6p	Year Round School Camp	Hancock Recreation Center
November 21	12-2p	Senior's Thanksgiving Luncheon	Dottie Jordan Recreation Center
November 21	6pm	Neighborhood Thanksgiving Dinner	Metz Recreation Center
November 22	7am-6pm	C-Day Camp	Parque Zaragoza Recreation Center Rosewood Recreation Center
November 21	3pm-4pm	Thanksgiving Day Workshop	Parque Zaragoza Recreation Center

Austin Parks and Recreation Department
Programs Division
Upcoming Programs 2000

<u>Date</u>	<u>Time</u>	<u>Event</u>	<u>Location</u>
December 2-3		Fall Post Season Tournament	Krieg Softball Complex
December 2	9-10:30a	Breakfast with Santa	Dittmar Recreation Center
December 4		Winter 1-Pitch Begins	Butler Fields
December 7	6p	Holiday Jamboree	Alamo Recreation Center
December 7	6pm-9pm	Rosewood Holiday Wrap	Rosewood Recreation Center
December 7	6:30pm	Youth Holiday Party	Givens Recreation Center
December 8-9	dusk-9p	Holiday Candle Trail	Hancock Recreation Center
December 9	11a	Brunch with Santa	South Austin Recreation Center
December 9	1-6p	Shopping Day Out	Northwest Recreation Center
December 9-10	9a-8p	Men's Basketball Tournament	Doris Miller Auditorium
December 13	6-9p	Zilker Trail of Light's Holiday Tour	Dottie Jordan Recreation Center
December 14	5-7p	Youth Christmas Party	Parque Zaragoza Recreation Center
December 14	6-9p	Rosewood Holiday Wrap	Rosewood Recreation Center
December 14	6-8p	Christmas Social	Conley-Guerrero Senior Activity Center
December 14	6:30p	Community Holiday Party	Dove Springs Recreation Center
December 15	6-11p	Parent's Night Out	Dottie Jordan Recreation Center
December 16	9-11a	Breakfast With Santa	Metz Recreation Center
December 19	4-5p	Christmas Workshop	Parque Zaragoza Recreation Center
December 19	3-5p	Children's Holiday Party	AB Cantu/Pan Am Recreation Center
December 20-29	7a-6p	Holiday Camp	Parque Zaragoza Recreation Center
December 20-22	7:30a-6p	Holiday Camp	Austin Recreation Center Dottie Jordan Recreation Center
December 20	8a-5p	C-Day At the Park	Rosewood Recreation Center
December 20	1-6p	Christmas Bazaar	Rosewood Recreation Center
December 21	6-9p	Rosewood Holiday Wrap	Rosewood Recreation Center
December 22	10a-2p	Rosewood Brunch with Santa	Rosewood Recreation Center